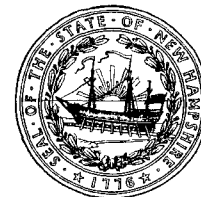




The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

March 22, 2006

Mr. Lee Lowell
Director of Maintenance
Hillsborough County Nursing Home
400 Mast Road
Goffstown, New Hampshire 03045

**CERTIFIED MAIL (7005 1160 0004 7467 6444)
RETURN-RECEIPT REQUESTED**

**NOTICE OF PAST VIOLATION
Sta.S)**

Dear Mr. Lowell:

On October 10, 2005, the New Hampshire Department of Environmental Services, Air Resources Division ("DES") received a permit application for a Cleaver Brooks Boiler (Boiler #1) from the Hillsborough County Nursing Home (the "Nursing Home"). The boiler was previously permitted under Temporary Permit TP-B-0496 issued to the Nursing Home on December 29, 2003, and expired on July 31, 2005. The Nursing Home also has a Cleaver Brooks Boiler (Boiler #3) and an emergency generator permitted at the site, as well as another Cleaver Brooks Boiler (Boiler #2) which does not require a permit. The purpose of this letter is to notify you of the violations discovered during review of the permit application for Boiler #1. The specific violations are as follows:

1. Env-A 608.10, *Permit Renewal*, requires the owner or operator of a permitted device to submit an application for permit renewal at least 90 days prior to the expiration date of the existing permit. The permit for Boiler #1 expired on July 31, 2005. DES received the renewal application on October 14, 2005. Therefore, the Nursing Home was operating Boiler #1 without a permit from July 31, 2005 until Permit #FP-S-0050 was issued by DES to the Nursing Home on March 17, 2006.
2. Env-A 907.01 requires the owner or operator of a permitted device(s) to submit annual emission reports, including monthly fuel use and sulfur content of the fuel, on or before April 15th of the following year. The Nursing Home did not submit the 2004 annual emissions report until October 31, 2005.
3. Env-A 705.01 requires the owner or operator of a permitted device(s) to annually pay emission-based fees for all permitted devices on or before April 15th of the following year. During the renewal application review process for Boiler #1, it was discovered that the Nursing Home did not submit emission fees for calendar years 1998 through 2001, 2003, and 2004. DES received payment of emissions fees for 1998 through 2000 on November 30, 2005, payment of emission fees for 2001 on December 28, 2005, and payment of emission fees for 2003 on February 6, 2006. Emission fees for 2004 were received on March 7, 2006, which brings the Nursing Home's account current.

DES recognizes the efforts that the Nursing Home has taken to come into compliance with the above referenced violations. Accordingly, no further action in response to the listed violations is required.

DES requests that the Nursing Home comply with the NH Code of Admin. Rules Env-A 100 *et seq.*, *NH Rules Governing the Control of Air Pollution* and all obligations contained in any permit issued to the Nursing Home. Also, please be advised that the annual emissions report and payment for calendar year 2005 emissions are both due by April 15, 2006. In the event that other violations are identified or if the Nursing Home fails to comply with all applicable requirements in the future, DES may take further action against the Nursing Home.

If you believe that DES has cited these violations in error, or have questions regarding these matters, please contact Tara E. Olson at (603) 271-4625, Air Resources Division, Compliance Bureau. A current copy of the Air Resources Division rules can be obtained from the DES website at <http://www.des.nh.gov/rules/air.htm> or by contacting the DES Public Information Center at (603) 271-2975.

Sincerely,

A handwritten signature in black ink, appearing to read 'P. Monroe', with a stylized flourish at the end.

Pamela G. Monroe
Compliance Bureau Administrator
Air Resources Division

PGM/teo

cc: R. Kurowski, EPA Region 1
G. Hamel, DES Legal Unit Administrator
S. Desruisseaux, Goffstown Town Administrator
AFS # 3301100062